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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,321	08/10/2001	Naoyuki Murakami	110351	4777

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EXAMINER

DASTOURI, MEHRDAD

ART UNIT PAPER NUMBER

2623

DATE MAILED: 07/29/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

**Application No.**

09/925,321

**Applicant(s)**

MURAKAMI, NAOYUKI

**Examiner**

Mehrdad Dastouri

**Art Unit**

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Helber (U.S. 2002/0165046 A1) in view of Cooper et al (U.S. 5,938,545).

Regarding Claim 1, Helber discloses a video apparatus having a unit for an image analysis comprising:

a device for generating a video signal (Paragraphs 0030 and 0031, Professional 35-millimeter Camera);

a memory including a storage region for storing an image analyzing program and a storage region for storing an operating data of an analysis (Figure 11, Video Memory 84; Figure 11, Step "F"; Paragraphs 0033-0035);

an internal analysis processing circuit for carrying out an image analysis from the video signal according to the procedure of the image analyzing program to output a video signal resultant of the image analysis to an external unit (Figure 1; Paragraphs 0034-0036; Figure 11, Microprocessor 82; Paragraphs 0038-0040; Paragraphs 0056-0060);

an address assignment circuit for assigning an address in the video signal from the result of the image analysis (Figures 1, 5, 6, 9-11; paragraphs 0037, 0048-0050).

Helber further discloses creating Golf Course information files and updating the database information that suggests comparison of acquired video signals and image setup information, but do not explicitly disclose a comparison circuit for comparing the video signal assigned the address to a video signal of an image set up by the image analyzing program to output the video signal to the internal analysis processing circuit if both of the video signals are the same or similar.

Cooper et al disclose a video system for determining a location of a body in flight comprising a comparison circuit for comparing the video signal assigned the address to a video signal of an image set up by the image analyzing program to output the video signal to the internal analysis processing circuit if both of the video signals are the same or similar (Figures 4 and 5; Column 3, Lines 63-67, Column 4, Lines 1-22).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Helber's invention according to the teachings of Cooper et al to compare the video signal assigned the address to a video signal of an image set up by the image analyzing program to output the video signal to the internal analysis processing circuit if both of the video signals are the same or similar because it will identify the objects of interest including probable location of the objects which will result in eliminating delays in sport events and enhanced broadcasting of play-off games and tournaments (Cooper et al, Column 1, Lines 27-32).

Regarding Claim 2, Helber further disclose the video apparatus according to Claim 1, wherein the video signal comprises signals of three primary colors and a video synchronizing signal (Paragraphs 0068, 0069 and 0063).

Regarding Claim 3, Helber further disclose the video apparatus according to Claim 1, wherein the external unit comprises the input and output means for the image analyzing program and a control processing circuit connecting to a display (Figure 11, I/O Unit 86, Microprocessor 82; Figure 2, Display Device 28).

Regarding Claim 4, Helber further disclose the video apparatus according to Claim 1, wherein the device for generating the video signal is a video camera (Paragraph0031).

***Other prior art cited***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 6,241,622 to Gobush et al.

U.S. Patent 6,320,173 to Vock et al.

***Contact Information***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mehrdad Dastouri whose telephone number is (703) 305-2438. The examiner can normally be reached on Monday to Friday from 8:00 a.m. to 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (703) 308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MEHRDAD DASTOURI  
PRIMARY EXAMINER

*Mehrdad Dastouri*

Mehrdad Dastouri  
Primary examiner  
Group Art Unit 2623  
July 24, 2004